

REMARKS

Claims 14-33 are pending. By this Amendment, claims 21, 32 and 33 are cancelled, claims 14, 20 and 26 are amended and new claims 34-36 are added.

Claim 20 stands rejected under 35 U.S.C. §112, second paragraph, for being indefinite. Applicant respectfully submits that claim 20, amended to include "either of the *first and second* sensors," is no longer indefinite. Applicant respectfully requests that the rejection under §112 be withdrawn.

Claims 14, 16, 18-21, 23, 25, 26, 28 and 30-33 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication 2003/0015898 to Breed (Breed). Applicant respectfully submits that independent claims 14, 20 and 26 as amended are not anticipated for at least the reasons that Breed does not disclose a headrest including a front part or portion and a rear part or portion with a headrest driving mechanism disposed therebetween, nor does Breed disclose a timer for measuring a stop time and control circuit adapted to return the front part of the headrest to an initial position by operating the headrest driving mechanism after the stop time measured by the timer reaches a predetermined time, in combination with the other limitations of the respective claims. As all other claims depend directly or indirectly from one of claims 14, 20 or 26, Applicant respectfully requests that the rejections under §102(b) be withdrawn.

Claims 15, 17, 22, 24, 27 and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Breed. Applicant respectfully submits that the rejections under §103(a) are moot in view of the amendments to the base claims 14, 20 and 26, which Applicant respectfully submits are patentable. Applicant respectfully requests that the rejections under §103(a) be withdrawn.

New claims 34, 35 and 36 depend directly from base claims 14, 20 and 26, respectively, which Applicant respectfully submits are patentable.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

A handwritten signature in cursive script, reading "Stuart J. Olstad".

Stuart J. Olstad
Registration No. 58,106

Customer No. 24113
Patterson, Thunte, Skaar & Christensen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: (612) 252-1551